

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 082368-001100US
INTERNATIONAL APPLICATION NO. PCT/JP03/02918		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/507,275
INTERNATIONAL FILING DATE March 12, 2003		PRIORITY DATE CLAIMED March 12, 2002
TITLE OF INVENTION CDC7-ASK KINASE COMPLEX, SUBSTRATES OF THE KINASE COMPLEX, SPECIFIC ANTIBODIES TO THE SUBSTRATES, AND SCREENING METHODS USING THE SAME TO SCREEN FOR COMPOUNDS COMPRISING CDC7-ASK KINASE INHIBITORY ABILITY		
APPLICANT(S) FOR DO/EO/US Hisao MASAI and Katsuyuki TAMAI		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). </p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). </p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. </p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> A SUBSTITUTE oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
<p>Items 11 to 20 below concern document(s) or information included:</p> <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p>		

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<p>The following fees have been submitted</p> <table border="1"> <tr> <td>21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a)).....</td> <td>\$300</td> <td colspan="2">CALCULATIONS</td> <td colspan="2">PTO USE ONLY</td> </tr> <tr> <td></td> <td>\$</td> <td colspan="2"></td> <td colspan="2"></td> </tr> <tr> <td>22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c))</td> <td></td> <td colspan="2"></td> <td colspan="2"></td> </tr> <tr> <td colspan="2">If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0</td> <td colspan="2">\$</td> <td colspan="2"></td> </tr> <tr> <td colspan="2">All other situations \$200</td> <td colspan="2"></td> <td colspan="2"></td> </tr> <tr> <td>23. <input type="checkbox"/> Search fee (37 CFR 1.492(b))</td> <td></td> <td colspan="2"></td> <td colspan="2"></td> </tr> <tr> <td colspan="2">If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0</td> <td colspan="2">\$</td> <td colspan="2"></td> </tr> <tr> <td colspan="2">Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority \$100</td> <td colspan="2">\$</td> <td colspan="2"></td> </tr> <tr> <td colspan="2">International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB \$400</td> <td colspan="2">\$</td> <td colspan="2"></td> </tr> <tr> <td colspan="2">All other situations \$500</td> <td colspan="2">\$</td> <td colspan="2"></td> </tr> <tr> <td colspan="4">TOTAL OF 21, 22 and 23 =</td> <td colspan="2">\$</td> </tr> <tr> <td colspan="4"><input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.</td> <td colspan="2">\$</td> </tr> <tr> <td>Total Sheets</td> <td>Extra Sheets</td> <td colspan="2">Number of each additional 50 or fraction thereof (round up to a whole number)</td> <td colspan="2">RATE</td> </tr> <tr> <td>- 100 =</td> <td>/50 =</td> <td colspan="2"></td> <td colspan="2">x \$250</td> </tr> <tr> <td colspan="4">Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).</td> <td colspan="2">\$</td> </tr> <tr> <td colspan="2">CLAIMS</td> <td>NUMBER FILED</td> <td>NUMBER EXTRA</td> <td colspan="2">RATE</td> </tr> <tr> <td colspan="2">Total claims</td> <td>- 20 =</td> <td></td> <td colspan="2">x \$ 50</td> </tr> <tr> <td colspan="2">Independent claims</td> <td>- 3 =</td> <td></td> <td colspan="2">x \$200</td> </tr> <tr> <td colspan="4">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td colspan="2">+ \$360</td> </tr> <tr> <td colspan="4">TOTAL OF ABOVE CALCULATIONS =</td> <td colspan="2">\$</td> </tr> <tr> <td colspan="4"><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½.</td> <td colspan="2">\$</td> </tr> <tr> <td colspan="4"></td> <td colspan="2">SUBTOTAL =</td> </tr> <tr> <td colspan="4">Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).</td> <td colspan="2">+ \$</td> </tr> <tr> <td colspan="4"></td> <td colspan="2">TOTAL NATIONAL FEE =</td> </tr> <tr> <td colspan="4">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property</td> <td colspan="2">+ \$</td> </tr> <tr> <td colspan="4">TOTAL FEES ENCLOSED =</td> <td colspan="2">\$ 0</td> </tr> <tr> <td colspan="4"></td> <td>Amount to be refunded:</td> <td>\$</td> </tr> <tr> <td colspan="4"></td> <td>Amount to be charged:</td> <td>\$ 0</td> </tr> </table>						21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a)).....	\$300	CALCULATIONS		PTO USE ONLY			\$					22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c))						If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0		\$				All other situations \$200						23. <input type="checkbox"/> Search fee (37 CFR 1.492(b))						If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0		\$				Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority \$100		\$				International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB \$400		\$				All other situations \$500		\$				TOTAL OF 21, 22 and 23 =				\$		<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). 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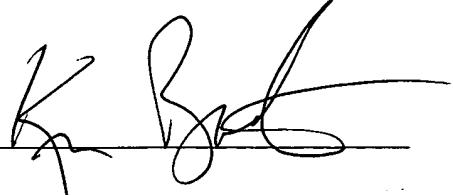
- a. A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. Please charge my Deposit Account No. 20-1430 in the amount of \$ 0 _____ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 20-1430. A duplicate copy of this sheet is enclosed.
- d. Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Kevin Bastian
TOWNSEND AND TOWNSEND AND CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, CA 94111-3834

SIGNATURE


Kevin Bastian

NAME

34,774

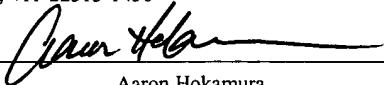
REGISTRATION NUMBER

"Express Mail" Label No. EV 566968249 US
Date of Deposit July 11, 2005

PATENT
Docket No.: 082368-001100US
Client Ref. No.: M3-A0201P-US

I hereby certify that this is being deposited with the United States
Postal Service "Express Mail Post Office to Address" service under 37
CFR 1.10 on the date indicated above and is addressed to:

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P.O. Box 1450
Alexandria, VA 22313-1450

By: 

Aaron Hokamura

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

MASAI and TAMAI

Application No.: 10/507,275

Filed: March 12, 2003

For: CDC7-ASK KINASE COMPLEX,
SUBSTRATES OF THE KINASE
COMPLEX, SPECIFIC ANTIBODIES TO
THE SUBSTRATES, AND SCREENING
METHODS USING THE SAME TO SCREEN
FOR COMPOUNDS COMPRISING CDC7-
ASK KINASE INHIBITORY ABILITY

Examiner:

Art Unit:

SUBMISSION OF SUBSTITUTE
DECLARATIONS UNDER 35 USC
371(c)(4)

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

*A Notification of Missing Requirements Under 35 U.S.C. 371 in the United States
Designated/Elected Office (DO/EO/US), mailed April 11, 2005, issued in the above-referenced
U.S. National Phase application. A bona fide attempt to respond to the Notification was timely
filed on June 8, 2005. This response included a single copy of the Declaration and Power of
Attorney, along with two pages containing signatures, both pages numbered "2 of 2".*

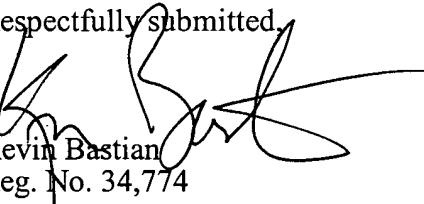
MASAI and TAMAI
Application No.: 10/507,275
Page 2

PATENT

In an attempt to comply with the provisions of 35 U.S.C. 371(c)(4) and 37 C.F.R. 1.497(a) and (b), and to expedite processing of the above-referenced application, Applicants submit herewith, two separate declarations, each including the text of the Declaration and Power of Attorney and their respective signature pages.

Applicant believes that no fee is required for this submission. If, however, a fee is in fact required, the Commissioner is authorized to deduct the fee from Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

If the reviewer believes a telephone conference would expedite consideration of the Petition or otherwise be helpful, the reviewer is invited to telephone the undersigned at 415-576-0200.

Respectfully submitted,

Kevin Bastian
Reg. No. 34,774

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